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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or
- ☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_
- ☐ as amended on \_\_\_\_\_ if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### Full Name of Inventor(s)

Inventor 1 Joseph P. Lyssikatos

Signature Joseph P. Lyssikatos Citizen of US

Inventor 2 Derek L. Tickner

Signature \_\_\_\_\_ Citizen of US

Inventor 3 Linda S. Newton

Signature \_\_\_\_\_ Citizen of US

Inventor 4 Zheng J. Li

Signature \_\_\_\_\_ Citizen of US

☒ Additional inventors are being named on 1 additional sheet

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Signature \_\_\_\_\_

Citizen of US

Inventor 2 Derek L. Tickner

Signature Derek L. Tickner

Citizen of US

Inventor 3 Linda S. Newton

Signature Linda S. Newton 5/23/2002

Citizen of US

Inventor 4 Zheng J. Li

Signature Zheng J. Li 5/29/2002

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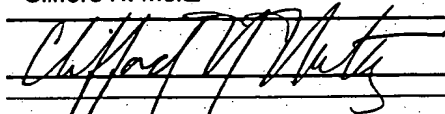
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Full Name of Inventor(s)

Inventor 5

Clifford N. Meltz

Signature



Citizen of US

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# POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/021,201
Filing Date	December 7, 2001
First Named Inventor	Joseph P. Lyssikatos, et al.
Title	CRYSTAL FORMS OF 6-[(4-CHLORO-PHENYL)-HYDROXY-(3-METHYL-3H-IMIDAZOL-4-YL)-METHYL]-4-(3-ETHYNYL-PHENYL)-1-METHYL-1H-QUINOLIN-2-ONE, 2,3-DIHYDROXYBUTANEDIOATE SALTS AND METHOD OF PRODUCTION
Group Art Unit	2871
Examiner Name	Not Yet Assigned
Attorney Docket Number	PC11078A

I hereby appoint:

☒ Practitioners at Customer Number

23913

OR

☐ Practitioners named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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OR

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OR

☐ Firm or  
Individual Name

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State

Zip

Country

Telephone

Fax

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

## SIGNATURE of Applicant or Assignee of Record

Name

Joseph P. Lyssikatos

Signature

Date

05/17/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of forms are submitted.

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Name

Derek L. Tickner

Signature

Date

5/22/2002

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Name

Linda S. Newton

Signature

*Linda Newton*

Date

06/04/2002

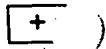
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Name

Zheng J. Li

Signature

Date

5/29/02

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Date

6-05-02

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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IN RE APPLICATION OF: <b>LYSSIKATOS, ET AL.</b>	:	Examiner: Not Yet Assigned <b>(Patricia Morris for 10/441,567)</b>
APPLICATION NO.: <b>Divisional Application of 10/441,567</b>	:	Group Art Unit: <b>(1625 for 10/441,567)</b>
FILING DATE: <b>Herewith</b>	:	
TITLE: <b>CRYSTAL FORMS OF 6-[(4-CHLORO- PHENYL)-HYDROXY-(3-METHYL-3H- IMIDAZOL-4-YL)-METHYL]-4-(3- ETHYNYL-PHENYL)-1-METHYL-1H- QUINOLIN-2-ONE, 2,3- DIHYDROXYBUTANEDIOATE SALTS AND METHOD OF PRODUCTION</b>	:	

---

Commissioner for Patents  
Mail Stop: Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUBMISSION OF DECLARATION FOR UTILITY**

The enclosed Declaration is for a divisional patent application filed herewith, Ser. No. XX/YYYY,YYY, under 35 U.S.C. §1.53(b) of Ser. No. 10/441,567 filed May 20, 2003 (the parent application), which claims priority from U.S. Patent Application Ser. No. 10/021,201 filed December 07, 2001 (the grandparent application), which claims priority from U.S. Provisional Patent Application Ser. No. 60/256,598, filed December 19, 2000. The Declaration is a copy of the Declaration submitted for the parent application.

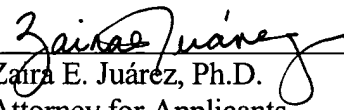
Pursuant to the suggestion in M.P.E.P. §201.06(c) applicants have attached an adhesive label to the copy of the Declaration indicating that this Declaration is for the divisional application of Ser. No. 10/441,567 filed May 20, 2003.

Applicants do not believe any fees are due in connection with the submission of this Declaration.

However, if any fees are due, applicants' attorney authorizes the payment of such fees from Deposit Account No. 16-1445. Applicants' attorney can be reached at the number listed below.

Respectfully submitted,

Date: 03/15/2004

  
Zaira E. Juárez, Ph.D.  
Attorney for Applicants  
Reg. No. 54,205

Pfizer Inc  
Patent Department, 5th Floor  
150 East 42nd Street  
New York, NY 10017-5612  
(212) 733-1092